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TO

Amend the Supreme Court of Judicature Act (Ireland),
1877.

A.D. 1897.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

- 5 1. From and after the *passing of this Act*, the office of Chief Justice of the Common Pleas, and on the occasion of the first vacancy after the passing of this Act in the office of Chief Baron of the Exchequer, the said office of Chief Baron of the Exchequer, shall be reduced to an equality with the offices of the
10 puisne judges of the High Court, by the abolition of the rank and title of Lord Chief Justice of the Common Pleas in the first case, and Lord Chief Baron of the Exchequer in the latter case, and of all other distinctions between the office of the judge who may be appointed to fill the office of Chief Justice of the Common
15 Pleas, vacant at the time of the passing of this Act, or the office of Chief Baron of the Exchequer, when the same may become vacant, and the offices of the puisne judges of the High Court, and between the salary, pension, and patronage attached to such office, and the salaries, pensions, and patronage of the puisne judges of the
20 High Court.

Abolition of distinctions between certain judgeships.

2. The Lord Lieutenant may at any time after the *passing of this Act* by Order in Council direct the fusion and amalgamation of the Common Pleas Division with the Queen's Bench Division of the High Court, and may by a like Order at any time after
25 the occurrence of a vacancy in the office of Chief Baron of the Exchequer direct the fusion and amalgamation of the Exchequer Division with the Queen's Bench Division of the High Court, and may by each such order, or by a like order from time to time give all such further directions as may be necessary or proper for the
30 aforesaid purposes. No such Order in Council shall come into

Consolidation of the Common Law Divisions.

[Bill 1.] +

A.D. 1887. operation until the same shall have been laid before each House of Parliament for thirty days on which that House shall have sat, nor if within such period of thirty days an address is presented to Her Majesty by either House of Parliament, praying that the order may not come into operation. Any such order in respect whereof no 5 such address shall have been presented to Her Majesty shall from and after the expiration of such period of thirty days be of the same force and effect as if it had been expressly enacted in this Act.

Transfer of powers.

3. From and after the *passing of this Act* the Lord Chief Justice shall be capable of exercising all powers and authorities which by 10 any law or custom have heretofore been exercised by the Chief Justice of the Common Pleas, and from and after the first vacancy which shall occur in the office of Chief Baron of the Exchequer, shall be capable of exercising all powers and authorities which by any law or custom shall theretofore have been exercised by the 15 Chief Baron of the Exchequer.

Alteration in the number of judges required by Act for certain functions.

4. From and after the *passing of this Act*, all the powers and functions which may be exercised and all the matters and things which may be done by the Lord Chancellor, the Chief Justice, the Chief Justice of the Common Pleas, and the Chief Baron, or any 20 three or any two of such persons of whom the Lord Chancellor shall be one, as enacted by the seventy-second and seventy-third sections of the Supreme Court of Judicature Act (Ireland), 1877, and by the Supreme Court of Judicature (Ireland) Act, 1882, may be exercised by the Lord Chancellor and the Chief Justice, and the 25 Chief Baron of the Exchequer, or any two of them, of whom the Lord Chancellor shall be one, and may, on the occurrence of a vacancy in the office of Chief Baron, be exercised by the Lord Chancellor and the Chief Justice, subject, however, to the conditions imposed by those enactments with reference to the concurrence of 30 the Treasury and otherwise.

Interpretation.

5. In this Act the expression *puisne judges* of the High Court shall mean judges of the High Court who are not *ex-officio* judges of the Court of Appeal; other terms and expressions used in this Act shall have the same meanings respectively as in the Supreme 35 Court of Judicature Act (Ireland), 1877; and the last-mentioned Act and this Act shall be construed together.

Short title.

6. This Act may be cited as the Supreme Court of Judicature (Ireland) Act, 1887.

Supreme Court of
Judicature (Ireland).

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To amend the Supreme Court of
Judicature Act (Ireland), 1877.

(Prepared and brought in by
Sir Michael Michie-Brown and Mr. Jackson.)

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[Bill 1.] +